

Serial No. 09/760,560
Reply to Office Action of May 18, 2005

REMARKS

Responsive to the Office Action mailed May 18, 2005, Applicant has studied the Examiner's comments and the cited art. Claims 1, 4-14, 17-22, 24-28, 32-36, and 38 are currently pending. In view of the following remarks, Applicant respectfully submits that the application is in condition for allowance.

Amendments

Applicant has amended independent claims 1 and 14 to indicate that the clock synchronization logic triggers the clock selection logic to select from the first input clock line and the second input clock line. Applicant has similarly amended claims 28 and 35.

Claim Rejections Under 35 U.S.C. § 102

Claims 1, 4-12, 28, and 32-35 are rejected under 35 U.S.C. § 102(e) as being anticipated by Stachura et al., U.S. Patent No. 6,292,038. Applicant respectfully traverses the rejections.

The Office Action asserts that Stachura recites "a clock selection logic (multiplexer of both circuits) adapted to select from the first input clock line and the second input clock line."¹ This mischaracterizes Stachura. The multiplexers (not numbered) of Stachura do not select between the first and second input clock line. Instead, each multiplexer controls a separate clock selection line (SEL A 315 and SEL B 325, respectively). SEL A and SEL B are not clock lines, nor does either multiplexer select between SEL A and SEL B. Rather, the multiplexers determine a signal level on each of these lines.

Stachura recites a Resultant Clk line 250,² but fails to recite any technique for generating the line 250. The only circuitry recited by Stachura does not regenerate the line 250, but only the lines SEL A and SEL B. Even if the use of lines SEL A and SEL B to generate the line 250 would be obvious to one of ordinary skill in the art, which Applicant does not admit, Stachura's failure to recite such circuitry means Stachura cannot anticipate Applicant's claimed subject matter. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."³ "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."⁴ For at least these reasons, Applicant respectfully requests withdrawal of the rejections.

Furthermore, the Office Action identifies signal lines SEL A_SYNC and SEL B_SYNC (unnumbered and Fig. 3) as a clock synchronization logic as in Applicant's claimed subject matter. This also mischaracterizes Stachura. The signal lines SEL A_SYNC and SEL B_SYNC

¹ Paper 1, p. 2.

² Fig. 2; Col. 2, line 64-Col. 3, line 25.

³ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987).

⁴ *Lindemann Maschinenfabrik v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984).

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are nowhere mentioned in the written description of Stachura, and do not appear in Fig. 3 as logic elements, but merely signal lines connecting logic elements.

In addition, the Office Action asserts that Stachura recites the first clock line having a frequency independent of the frequency of a second clock line. Stachura nowhere mentions the frequency of either clock line, much less the independence of the frequencies of the CLK A and CLK B lines. Even though Stachura recites CLK A and CLK B as asynchronous, mere asynchronicity is not frequency independence. For example, two clocks that must be of the same frequency, but are out of phase with each other are asynchronous with each other, but are not frequency independent. For these additional reasons, Applicant respectfully requests withdrawal of the rejections.

Applicant has further amended claims 1 and 14 to emphasize the different techniques used by Applicant and Stachura, by adding a recitation that the clock synchronization logic triggers the clock selection logic to select from the first input clock line and the second input clock line. Applicant has similarly amended claims 28 and 35. Even if the SEL A_SYNC and SEL B_SYNC lines of Stachura are a clock synchronization logic as in Applicant's claimed subject matter, which Applicant denies, neither of those lines is indicated by Stachura as triggering the multiplexers identified by the Office Action as the clock selection logic. Instead, Stachura recites the PWR_GOOD line 370 as performing that function. For these additional reasons, Applicant respectfully requests withdrawal of the rejections.

Claims 4-12 and 32-34 depend from allowable claims 1 and 28 and are therefore also allowable. For at least this reason, Applicant respectfully requests withdrawal of the rejections.

Claim Rejections Under 35 U.S.C. § 103(A)

Claims 13, 14, 17-22, 24-27, and 30 are rejected under 35 U.S.C. § 103(A) as being unpatentable over Stachura et al., U.S. patent no. 6,292,038, in view of Iknaian et al., U.S. patent no. 5,294,842. Claim 13 depends from allowable claim 1 and is therefore also allowable. For at least this reason, Applicant respectfully requests withdrawal of the rejection.

With respect to claim 14, the Office Action asserts that Stachura discloses all the limitations of the clock selection device as disclosed in claim 1 and 14. As shown above, with respect to claim 1, Stachura fails to teach or suggest all of the limitations of Applicant's claimed subject matter. Therefore the combination of Iknaian to provide the element of a processor would not achieve Applicant's claimed subject matter. For at least these reasons, Applicant respectfully requests withdrawal of the rejection.

Claims 17-22, 24-27, and 30 depend from allowable claims 14 and 28 and are therefore also allowable. For at least this reason, Applicant respectfully requests withdrawal of the rejections.

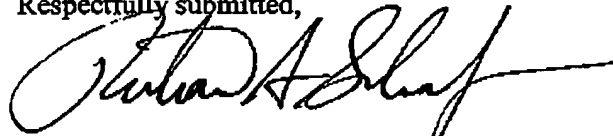
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CONCLUSION

Applicant respectfully submits that all issues and rejections have been adequately addressed, that all claims are allowable, and that the case should be advanced to issuance.

If the Examiner has any questions or wishes to discuss the claims, Applicant encourages the Examiner to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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